

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	No. 08 CR 276
v.)	The Honorable Blanche M. Manning,
)	Judge Presiding
WILLIAM COZZI,)	
)	
)	
Defendant.)	

**COZZI'S MOTION FOR LEAVE
TO FILE PRE-TRIAL MOTIONS, *INSTANTER***

Defendant, WILLIAM COZZI, by and through his attorneys, TERENCE P. GILLESPIE, MARC W. MARTIN, and WILLIAM R. SULLIVAN, hereby moves this Honorable Court, for leave to file his pre-trial motions *instante*r on Monday June 2, 2008. In support of his motion, the following is offered:

1. The defendant stands accused by indictment of the offense of deprivation of rights under the color of law, pursuant to Title 18 United States Code, Section 242.
2. On May 20, 2008, this Honorable Court granted Cozzi an extension of time to file his pre-trial motions to and including May 30, 2008.
3. Undersigned attorney, Terence P. Gillespie, has been out of town on other matters in recent days and, as such, was unable to assist in the final preparations of the motions.
4. Additionally, attorney Marc W. Martin, who was hired by Cozzi to lead the preparation of Cozzi's pre-trial motions is currently on trial in the Circuit Court of Cook County before the Honorable Vincent M. Gaughan in the case of the *The People of the State of Illinois v.*

Robert Kelly, 02 CR 14952.

5. In addition to the nearly twelve-hour trial days in that cause, a previously unknown witness came to the attention of the parties in recent days. This new witness was ordered by Judge Gaughan to be deposed on May 30, 2008. This deposition occupied most of the day and precluded Mr. Martin from being able to complete the remaining work on the motions to be filed. The deposition of this witness was conducted after arguments were had throughout the morning on other pending motions before Judge Gaughan.

6. The pre-trial motions to be filed will be completed over the weekend so that they may be filed on Monday, June 2, 2008.

7. An effort was made to contact Assistant United States Attorney Scott Drury regarding this turn of events and a message was left for him.

8. In light of these extenuating circumstances, Cozzi now seeks leave to file his motions *instanter* on Monday June 2, 2008.

WHEREFORE, Defendant, WILLIAM COZZI, respectfully requests that this Honorable Court grant him leave to file his pre-trial motions *instanter* on Monday, June 2, 2008.

Respectfully submitted,

/s/ Terence P. Gillespie
TERENCE P. GILLESPIE
Attorney for Defendant, William Cozzi

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CERTIFICATE OF SERVICE

I hereby certify Defendant's foregoing Cozzi's Motion for Leave to File Pre-Trial Motions *Instante* was served on May 30, 2008, in accordance with Fed.R.Crim.P. 49, Fed.R.Civ.P.5, LR 5.5, and the General Order on Electronic Case Filing (ECF) pursuant to the District Court's system as to ECF Filers.

/s/ Terence P. Gillespie
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